



Doreen Boxer
Public Defender

Mission Statement

The Public Defender protects the constitutional rights of indigent defendants by providing skilled legal counsel and passionate advocacy at all critical phases of state level criminal and civil commitment litigation.



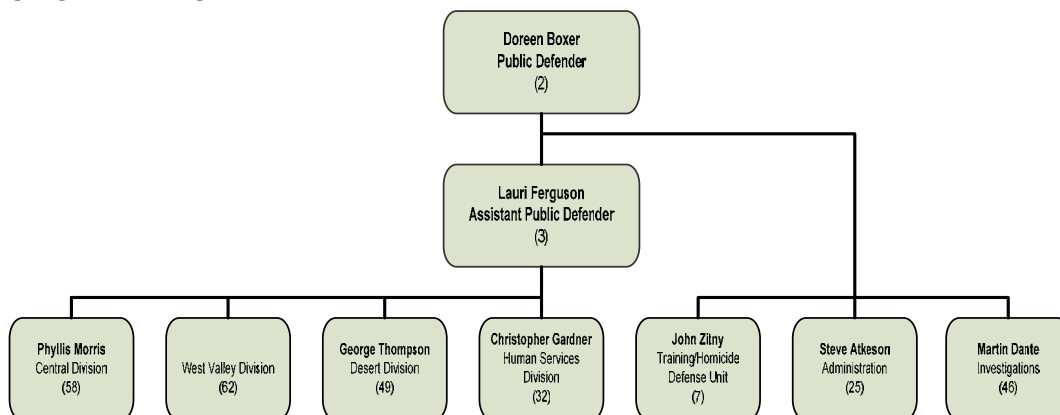
GOALS

REDUCE BACKLOG OF OLD CASES

MAINTAIN THE CURRENT LEVEL OF CASES THAT GO TO TRIAL

PUBLIC DEFENDER

ORGANIZATIONAL CHART



DESCRIPTION OF MAJOR SERVICES

The Public Defender's Office plays a key role in the administration of justice by providing constitutionally mandated legal services to indigent clients in misdemeanor, felony, juvenile delinquency, and mental health civil commitment cases. Services provided by the Public Defender include performing legal research, writing briefs and writs, counseling clients regarding their legal rights and applicable procedures, investigating the underlying facts and circumstances of each case, negotiating with prosecuting authorities, filing and litigating pre-trial motions, and conducting bench and jury trials.

2009-10 SUMMARY OF BUDGET UNITS

	<u>Appropriation</u>	<u>Revenue</u>	<u>Local Cost</u>	<u>Staffing</u>
<u>General Fund</u>				
Public Defender	35,598,529	2,714,708	32,883,821	284



Deputy Public Defender presents closing arguments to jury

GOALS, OBJECTIVES, AND PERFORMANCE MEASURES

GOAL 1: REDUCE BACKLOG OF OLD CASES.

Objective A: Increase early resolution of cases thus minimizing custody time (and attendant costs to the client and county).

Objective B: Focus on keeping active caseloads from rising despite increased filings by the District Attorney while maintaining a high caliber of representation.

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
1A. Percentage of 'old cases' – defined as more than 180 days for felonies.	7.4%	7.1%	7.8%	5.9%	5.8%
1B. Percentage of 'old cases' – defined as more than 120 days in misdemeanors.	6.3%	6.8%	9.5%	5.3%	5.2%

Status

As indicated in the table above, the goal of reducing the backlog of old cases continues to be a high priority for the Public Defender's Office. Even with reductions in staffing, the department has managed to decrease the number of old cases by refining processes and through the committed efforts of a dedicated staff. The department will continue to strive for further reductions in 2010-11, but more modest declines are likely as additional staffing decreases are anticipated due to budgetary constraints.

GOAL 2: MAINTAIN THE CURRENT LEVEL OF CASES THAT GO TO TRIAL.

Objective A: Ensure a speedy and public trial as required by the Sixth and Fourteenth Amendments of the United States Constitution.

Objective B: Secure the best possible outcome for our clients via the Public Defender's steadfastness to demand trial whenever appropriate.

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
2A. Number of felony cases that go to trial.	165	174	231	147	147
2B. Number of misdemeanor cases that go to trial.	135	137	162	96	96

Status

The ability, willingness, and desire of the Public Defender to conduct trials are integral to the strategy of an effective defense. The more cases the Public Defender is able to take to trial, the more likely justice will be served.

The ability of the Public Defender's Office to take cases to trial has been adversely affected by the county's budget situation. Deputy Public Defender positions have been left vacant due to fiscal constraints, thus impacting the department's ability to meet the 2009-10 projections. Despite expected additional staffing reductions, the goal of the department is to maintain the existing level of trial cases for 2010-11.

2008-09 ACCOMPLISHMENTS

- ❖ Reduced the percentage of old felony cases
- ❖ Increased the number of felony and misdemeanor cases that go to trial



Deputy Public Defender cross examines witness at trial

- ❖ Increased post-dispositional juvenile services
- ❖ Opened a new Annex office in San Bernardino



Public Defender's Annex office on 'D' Street in San Bernardino

2010-11 REQUESTS FOR GENERAL FUND FINANCING

Brief Description of Policy Item or CIP request	Budgeted Staffing	Appropriation	Dept. Revenue	Local Cost
1. Restore ongoing funding for a Public Defender Investigator position. (Policy Item) Public Defender Investigators provide constitutionally mandated investigative support for the Deputy Public Defenders. Restoring this position will help the department prevent unnecessary delays in case processing and facilitate constitutionally required effective assistance of counsel; thereby reducing the risk of wrongful convictions, costly appellate processes and retrials. In addition, the department's investigators are partners in the County's emergency operations plans and are highly trained professionals who can be counted on to assist in a civil capacity during emergency situations.	1	84,723	-	84,723
2. Restore ongoing funding for Law Clerk positions. (Policy Item) The Law Clerk program is critical to the department in that these positions provide a great deal of support for the Deputy Public Defenders. Law Clerks perform some of the less difficult attorney tasks, which allows the attorneys to focus on more complex issues, thus providing better customer service.	10	327,474	-	327,474
3. Restore ongoing funding for Interviewer positions. (Policy Item) The Interviewers presently interview clients at jail locations early in the process, thereby facilitating speedy resolution of cases. Without Interviewers, cases will take longer to resolve as initial interviews will be conducted by already over-burdened attorneys who will need to make additional trips to jails after court duties are concluded. Restoring these positions will allow the department to keep interviewing clients between appointment and first appearance.	4	194,919	-	194,919
4. Restore ongoing funding for Investigative Technician II positions. (Policy Item) Public Defender Investigator Technician II's assist the Investigators in providing constitutionally mandated investigative support for the Deputy Public Defenders. Restoring these positions will help the department prevent unnecessary delay in case processing and facilitate constitutionally required effective assistance of counsel; thereby reducing the risk of wrongful convictions, costly appellate processes and retrials.	3	185,139	-	185,139
5. Restore ongoing funding for an Automated Systems Analyst I position. (Policy Item) Restoring this position will ensure that the Public Defender's Office keeps up with the technological demands of its staff and the courts as the department implements a new Case Management System and prepares for the needs associated with a new courthouse.	1	84,135	-	84,135
6. Restore ongoing funding for Supervising Office Assistant positions. (Policy Item) Funding these positions will ensure that clerical staff is supervised by supervising clerical staff and attorneys can focus their attention on legal matters. Attrition in these positions has resulted in vacancies that leave Supervising and Chief Deputy Public Defenders responsible for clerical supervision. Filling these positions will help make the department more efficient.	2	110,752	-	110,752
7. Provide funding for an Office Assistant III to offset a Secretary I position deleted due to a proposed decrease to the department's Local Cost Target. (Policy Item) Funding this position will help ensure that support staff does not become over-burdened and will be able to provide the minimal level of support necessary to the department.	1	52,762	-	52,762
8. Restore ongoing funding for a Paralegal position. (Policy Item) Restoration of this position will provide resources for petitions of expungement and certificates of rehabilitation in the department's Central Division; telephone assistance for clients and the public when they call to inquire on legal issues; assistance to attorneys in obtaining documents on out-of-state bench warrants; and provide attorneys assistance with preparing and filing legal documents.	1	77,975	-	77,975
9. Restore ongoing funding for Public Service Employee positions. (Policy Item) Restoring these positions will allow the department to continue its Imaging Project. This is an on-going, long-term project that utilizes part-time help (mostly college students) to scan closed files so they are available electronically. This process allows almost immediate access to a closed file while significantly reducing the amount of physical storage space needed. It is estimated that a total of 20 million documents in closed files require scanning. The project commenced in 2008-09 and is expected to result in approximately 2 million or 10% of these documents being scanned by the end of 2009-10.	19	236,878	-	236,878
10. Remodel space in Fontana previously occupied by Public Health. (CIP) Completion of this project will allow the Public Defender to reduce lease costs by moving investigative staff from Rancho Cucamonga to vacant office space in Fontana. Cost savings may be realized in Fiscal Year 2010-11 if the current Rancho Cucamonga lease can be terminated early. If not, lease savings would begin in Fiscal Year 2012-13. Operational efficiency will be significantly enhanced immediately by co-locating investigative and attorney staff at the Fontana site.		219,891	-	219,891

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
P1. Percentage of caseload investigated.					12%
P2. Number of cases that go to trial.					275
P3. Number of clients interviewed.					3,000
P4. Percentage of caseload investigated.					12%
P5. Percentage of new caseload management system implemented.					100%
P6. Percentage of clerical staff with direct clerical supervision.					100%
P7. Percentage decrease of workload for each of the existing Office Assistant III positions.					2%
P8. Number of cases with which the Paralegal assists an attorney.					750
P9. Percentage of Imaging Project completed.					20%
P10. Percentage of Fontana Remodel Project completed.					100%

2010-11 PROPOSED FEE/RATE ADJUSTMENTS

The department is not requesting any proposed fee/rate adjustments for 2010-11.

If there are questions about this business plan, please contact Doreen Boxer, Public Defender, at (909) 382-7650.